IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. NO. 511/ OF 2001.

PETITIONER

P. R. No. ..... Registered by Shri ..... dated ..... Bilaspur

Hemdas Manikpuri aged about 27 years
S/o. Mr. Anup Das Manikpuri
R/o. Village - Sukli Post-Bareli
Via- Katgi Distt. Raipur (C.G.)

VERSUS

RESPONDENTS

- (1) State of Chhattisgarh
Through- Secretary
School Education Department,
Raipur (C.G.).

(2) Chief Executive Officer
Janpad Panchayat Kasdol
Distt. Raipur (C.G.)

(3) Block Resource Centre
Co-ordinator D.P.E.P.(OFFICE)
Block-Kasdol, Distt. Raipur(C.G.)

(4) Secretary,
Gram Panchayat-Sukali
P.O. Bareli, Via-Katgi, Kasdol,
Distt. Raipur. (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

XI-HC-22

(74)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 511/01 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

25.4.2005

Mr. R.S. Patel, counsel for the petitioner.

Mr. Bhaskar Pyasi, P.L. for the State / respondent No.1.

Dr. N.K. Shukla, Sr. Counsel for respondent No.2 & 3.

Heard.

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India with the averments that in the year 1997 he was appointed as Guruji under the Education Guarantee Scheme in Gram Panchayat Sukli, Block Kasdol, District Raipur. Respondents paid salary to the petitioner up to March, 1999 and since April 1999 they are not paying honorarium to the petitioner.

I.A. No.1569/2001 has been filed on behalf of respondent No.2 & 3 for dismissal of the writ petition in which it has been mentioned that on account of irregularities committed by the petitioner along with other Gurujis i.e. the petitioner and other Gurujis failed to return the answer sheets of the students, the services of the petitioner have been terminated vide Annexure R-1 w.e.f. 24.5.1999.

Rejoinder has been filed on behalf of the petitioner that even thereafter the petitioner received training, but no other document has been filed to show that school under Education Guarantee Scheme is still running, whereas in the application of respondent No.2 & 3 it has come that as one government school is already working at Gram Panchayat Sukli, therefore, they have decided to close the Education Guarantee Scheme school.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

75

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	In view of the above, disputed facts are involved in this petition, as the petitioner is claiming that he is still continuing in service but he is not being paid salary by the respondents, whereas respondent No.2 & 3 has mentioned in their application that vide Annexure R-1 dated 24.5.1999 the petitioner's services had already been terminated. Therefore, these disputed questions cannot be gone into and decided in the writ jurisdiction, as such the petition is dismissed at the admission stage itself. However, if the petitioner wants to pursue his case he may avail the remedy available under the law. **Sd/-** **L.C.BHADOO** **Judge**	

(पीछे देखिये)

30.4.05

2.5.05